

P&G Case 8398

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of :
Matthew Thomas Heisey *et al.* : Confirmation No. 1681
Serial No. 09/759,965 : Group Art Unit 1623
Filed January 12, 2001 : Examiner: L.E. Crane
For LOW CARBOHYDRATE COMPOSITIONS, KITS THEREOF, AND METHODS OF USE

AMENDMENT AFTER FINAL ACTION UNDER 37 C.F.R. §1.116

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In a sincere effort to place the claims in better form for consideration on appeal, the following amendments are submitted under 37 C.F.R. §1.116. Applicants respectfully request the Examiner please enter the following amendments and consider the following remarks.

IN THE CLAIMS

Please amend the Claims as follows:

Please amend Claim 1 as follows:

1. (Amended) A beverage composition comprising:
 - a) a chondroprotective agent selected from the group consisting of cartilage, aminosugars, glycosaminoglycans, methylsulfonylmethane, S-adenosylmethionine, and mixtures thereof;
 - b) a sweetening agent selected from the group consisting of sorbitol, mannitol, xylitol, erythritol, malitol, maltose, lactose, fructooligosaccharides, lo han guo, stevioside, acesulfame, sucralose, saccharin, xylose, arabinose, levulose, isomalt, ribose and mixtures thereof;
 - c) at least about 75% water, by weight of the composition; and
 - d) less than about 18 grams total carbohydrate per every 230 milliliters of the composition.

Please cancel Claim 10 without prejudice.